

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

SCOTT RODNEY ROBINSON, JR. §
VS. § CIVIL ACTION NO. 1:21cv494
UTMB, ET AL. §

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff Scott Rodney Robinson, Jr., an inmate at the Pack I Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought the above-styled lawsuit.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends denying plaintiff’s motion for default judgment.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. Plaintiff filed objections to the Magistrate Judge’s Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

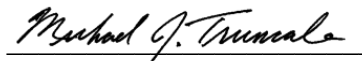
After careful consideration, the Court concludes plaintiff’s objections are without merit. As the magistrate judge set forth, defendants Duyen Bui and Lori Walker both have filed motions to dismiss, and defendant Poullard remains unserved at this time. Accordingly, default judgment is not appropriate.

O R D E R

Accordingly, plaintiff's objections are OVERRULED. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is ADOPTED. It is therefore

ORDERED that plaintiff's motion for default judgment [Dkt. 41] is DENIED.

SIGNED this 22nd day of March, 2024.

A handwritten signature in cursive script, reading "Michael J. Truncala", is positioned above a horizontal line.

Michael J. Truncala
United States District Judge